

Regular Meeting

June 27, 2005  
9:00 a.m.

The regular meeting of the Municipal Civil Service Commission convened on Monday, June 27, 2005, at 9:00 a.m. with Grady Pettigrew and Eileen Paley in attendance.

\* \* \*

*RE: Review and approval of the minutes from the May 23, 2005, regular meeting.*

The minutes were approved as written.

\* \* \*

*RE: Review and approval of the minutes from the June 9, 2005, special meeting.*

The minutes were approved as written.

\* \* \*

*RE: Review of the results of the pre-hearing conference for the following appeal:*

*Marva Hood vs. Columbus Public Schools, Appeal No. 04-BA-0025. Food Service Helper – 5-day suspension – hearing scheduled for August 15, 2005.*

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Marva Hood - Food Service Helper, Columbus Public Schools, five-day suspension for failing to properly call in. This appeal is based on the merits and mitigation. The School Board plans to call three witnesses and estimates its case will take about one and one-half hours. The appellant plans to call two to three witnesses and estimates they will take less than one hour. The entire hearing should be completed in one afternoon.

\* \* \*

*RE: Rule Revisions.*

No Rule revisions were submitted this month.

\* \* \*

*RE: Request of appellant Tracey L. Yates to withdraw the appeal she filed with the Civil Service Commission on June 1, 2005, regarding her discharge from the position of Secretary I with the Columbus Public Schools – Appeal No. 05-BA-0012.*

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Review and approval of the 2006 Civil Service Commission Trial Board Hearing Schedule.*

This item was deferred.

\* \* \*

*RE: Review of the Findings and Recommendation of the Trial Board hearing held on June 13, 2005: James Karnes, Jr. vs. Columbus Public Schools, Appeal No. 04-BA-0024.*

The Commissioners adopted the recommendation of the trial board to disaffirm the charges of Neglect of Duty, Dishonesty and Nonfeasance and reduced the 10-day suspension to a 5-day suspension.

\* \* \*

*RE: Columbus Public Schools Classification Actions.*

No classification actions from Columbus Public Schools were submitted this month.

\* \* \*

*RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Plant Manager with no revisions (Class Code 1170).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented the Commission's request to approve the specification review for Water Plant Manager with no revisions. This review was a result of a request from CMAGE/CWA to review classifications within the Water Plant Operations series for possible revisions. Water Plant Manager was last reviewed in September of 2002 and there are currently three employees serving in this classification.

After meeting with representatives of the Department of Public Utilities and the Division of Water, it was decided that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for Water Plant Manager be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Plant Operations Manager with no revisions (Class Code 1169).*

This item was deferred.

\* \* \*

*RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Supply and Treatment Coordinator with no revisions (Class Code 1165).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented the Commission's request to approve the specification review for Water Supply and Treatment Coordinator with no revisions. This review was a result of a request from CMAGE/CWA to review classifications within the Water Plant Operations series for possible revisions. Water Supply and Treatment Coordinator was last reviewed in September of 2002 and there is currently one employee serving in this classification.

After meeting with representatives of the Department of Public Utilities and the Division of Water, it was decided that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for Water Plant Operations Manager be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to approve the specification review for the classification Automotive Service Supervisor with no revisions (Class Code 3465).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented the Commission's request to approve the specification review for Automotive Service Supervisor with no revisions. This review was a result of the Civil Service Commission's efforts to review all classifications every five years. This classification was last reviewed in March of 2000 and currently there are no employees serving in the classification. It was recommended that the review of this specification be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Plant Attendant, retitle it to read Operator In Training, change the probationary period to 365 days and amend Rule XI accordingly (Class Code 3886).*

This item was deferred.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Wastewater Plant Operator and change the examination type to noncompetitive (Class Code 3873).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request in response to a request from the Department of Public Utilities to allow for a smooth transition in the class series from the trainee level to the fully-skilled level. The recommendations proposed would also ensure consistency within the class plan. Wastewater Plant Operator was last reviewed in February of 2005 and there are currently sixty-two employees serving in this classification, specifically utilized by the Division of Sewerage and Drainage.

It was recommended that the definition be revised to reflect terminology currently used in the industry by deleting the word "sludge" and replacing it with "biosolids". The examples of work were also updated with the new terminology by replacing sludge with biosolids and "sewerage" with "wastewater". The minimum qualifications were revised to require possession of a valid State of Ohio Class I Wastewater Works Operator's certificate and possession of a valid motor vehicle operator's license. The addition of the certification will develop a natural progression within the series hierarchy. No revisions to the knowledge, skills and abilities were recommended. It was recommended that the examination type be changed to noncompetitive as a result of the certification being proposed under minimum qualifications. No revision to the 365-day probationary period was recommended.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Plant Operator I (Class Code 3881).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request from the Department of Public Utilities to allow for a smooth transition from the trainee level to the fully-skilled level of this

classification series. Water Plant Operator I was last reviewed in February of 2002 and there are currently eleven employees serving in the classification, specifically utilized by the Division of Water.

It was recommended that reference to the knowledge and operation of a computerized Supervisory Control and Data Acquisition System (SCADA) be added to the examples of work and knowledge, skills and abilities sections of the specification. Another example of work pertaining to the maintenance and calibration of laboratory equipment was also added.

Based on discussions with Division of Water representatives, it was decided that State certification should be incorporated into the minimum qualifications to ensure that individuals serving in the classification of Water Plant Operator I also meet State requirements. It was therefore recommended that employees be required to possess the site-specific Operational Laboratory Certificate offered by the State of Ohio upon completion of the probationary period.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Plant Operator II (Class Code 3882).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the CMAGE/CWA pay plan appeals to review classifications within the Water Plant Operations Series for possible revisions. This classification was last reviewed in November of 2001 and there are currently sixteen employees serving in the class, specifically utilized by the Division of Water.

It was recommended that the definition be revised to reflect that Water Plant Operator II is responsible for overseeing the operation of a water processing and/or pumping facility on an assigned shift. This classification also operates a computerized Supervisory Control and Data Acquisition System (SCADA) to control and monitor the flow and chemical processing of water. Therefore, it was recommended that reference to the knowledge and operation of this system be added to the examples of work and knowledge, skills and abilities. Additional examples of work were also recommended pertaining to laboratory functions and the knowledge, skills and abilities associated with those functions.

Water Plant Operator II's must conduct laboratory water sample analyses as part of the process to ensure water is clean enough for human consumption. In order to perform these analyses, the Ohio Environmental Protection Agency requires employees to possess specific certification depending on the types of analyses performed. Based on discussions with Division of Water representatives, it was decided that State certification should be incorporated into the minimum qualifications to ensure that individuals serving in the classification of Water Plant Operator II also meet State requirements. It was therefore recommended that employees be required to possess the site-specific Full Laboratory Certificate offered by the State of Ohio upon the completion of the probationary period. No changes to the noncompetitive examination type or the 365-day probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Financial Management Division Administrator (Class Code 0142).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request from the Department of Finance to incorporate references to performance management in the examples of work, minimum qualifications and knowledge, skills and abilities sections of the specification. No revisions to the definition, the noncompetitive examination type or the 365-day probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Medical Records Manager, retitle it to read Health Information Manager and amend Rule XI accordingly (Class Code 0852).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request in response to the Commission's objective to review all classifications at least every five years to ensure accuracy. This classification was last reviewed in August of 2000 and there are currently two employees serving in the classification in the Columbus Health Department.

The definition was revised to more accurately and succinctly state the reason or purpose that this classification exists. The examples of work section was slightly revised to better represent the type of work performed by a Medical Records Manager. Additional knowledge, skills and abilities statements were proposed such as knowledge of the Health Insurance Portability and Accountability Act and the ability to use a personal computer and relevant software. No revisions to the minimum qualifications, 365-probationary period or noncompetitive examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Outreach Worker (Class Code 3112).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request in part because of a request from the Department of Recreation and Parks and in part because of the Commission's effort to review all classifications at least every five years. This class was last reviewed in March of 2000 and there are currently sixteen employees serving in this classification, all of which are located in the Columbus Health Department.

This classification is currently only recognized by AFSCME Local 2191. However, with a current need existing in the Central Ohio Area Agency on Aging (COAAA), Recreation and Parks Department, a Memorandum of Understanding (MOU) will be prepared by the Human Resources Department and signed by all necessary parties to include the Outreach Worker classification in the AFSCME Local 1632 bargaining unit. In conjunction with this MOU, it was recommended that the Guidelines For Class Use be modified to include COAAA as an agency that may use the Outreach Worker classification as needed.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Prevailing Wage Coordinator (Class Code 0767).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request as a result of the Commission's effort to review all classifications at least every five years. Prevailing Wage Coordinator was last reviewed in March of 2000 and there is currently one employee serving in the classification in the Public Service Department, Transportation Division.

The definition was revised to refer to compliance with all local, state and federal laws governing prevailing wage rather than the inaccurate reference to the Federal Labor Standards Act. The examples of work section was revised to replace all references to Ohio Prevailing Wage Law and Federal Labor Standards Act to the more accurate and all-inclusive reference to all local, state and federal law governing prevailing wage. An additional revision was made referring to the project superintendent which is the more commonly used terminology. Some additional knowledge, skills, and abilities statements were proposed, such as considerable knowledge of all local, state and federal laws governing prevailing wage, and a general knowledge of investigative and interviewing methods and techniques. It was also proposed that ability statements pertaining to interpreting, explaining and enforcing prevailing wage rules be added, as well as the ability to work within the environmental factors encountered at construction sites.

No revisions to the minimum qualifications, the 365-day probationary period or the competitive examination type were proposed.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Request of the Civil Service Commission staff to revise the specification for the classification Advanced Practice Registered Nurse (Class Code 1679).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request from the Civil Service Commission staff to comply with changes made to the Ohio Revised Code with regard to current requirements by the State in order to be recognized as an advanced practice nurse. There are currently five employees serving in this classification, all of which are in the Health Department.

No revisions to the definition or the examples of work section of the specification were recommended. The State of Ohio recognizes advanced practice nursing in four areas (nurse anesthetist, nurse-midwife, clinical nurse specialist, and nurse practitioner), awarding certificates of authority in each. In order to be recognized as advanced practice nurses, Ohio Revised Code, Section 4723.41 requires that applicants (1) be certified as a registered nurse, (2) submit documentation demonstrating possession of a graduate degree in a nursing specialty or in a related field, and (3) submit documentation of having successfully passed a certification examination in one of the following areas: certified nurse-midwife, certified registered nurse anesthetist, clinical nurse specialist, or certified nurse practitioner. Given these current requirements by the State, it was recommended that the minimum qualifications section be revised to conform more closely to the language included in the Ohio Revised Code.

There were no proposed changes to the knowledge, skills, and abilities section of the specification, the 365-day probationary or the noncompetitive examination type.

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Residency Hearing Reviews.*

No residency hearing reviews were submitted this month.

\* \* \*

*RE: Personnel Action.*

*Request of the Civil Service Commission staff to reallocate designated positions (60-09-00826, 60-05-01253 and 60-05-00578), currently Engineering Associate I (Class Code 1031) and Engineering Associate II (Class Code 1032) to the GIS Technician classification (Class Code 0545) and to allow the affected incumbents (Rocky Seymour, Lisa Campbell and Russell Ward) to retain their current classification status and seniority.*

A motion to approve the request was made, seconded, and passed unanimously.

\* \* \*

*RE: Administrative/Jurisdictional Reviews.*

*Review of the appeal of Donald Finnell regarding a demotion from the position of Information Systems Supervisor with the City of Columbus Department of Technology - Appeal Number 05-CA-0009.*

The Commissioners approved the written recommendation submitted by the Civil Service Commission staff to dismiss Mr. Finnell's appeal without a hearing. His appeal was based on his belief that he was demoted from his position as an Information Systems Supervisor and that the manner of his demotion did not comply with Civil Service Commission Rules because he did not receive a notice of hearing or a specification of charges against him.

Civil Service Rule I(9) defines demotion as: "A change to a classification which has a lower maximum rate of pay." The Civil Service Commission payroll system records were reviewed and neither Mr. Finnell's classification nor his pay rate have changed. Based upon this information, it was determined Mr. Finnell did not receive a demotion as described in Rule I(9) and the Commission therefore, has no jurisdiction on his appeal and dismissed it without a hearing.

*Review of the appeal of Eric M. Little regarding the denial of his request for review to clarify his minimum qualifications for the Sewer Maintenance Worker examination – Appeal Number 05-CA-0010.*

The Commissioners approved the written recommendation submitted by the Civil Service Commission staff to grant Mr. Little's appeal which was based on the rejection of his application and the circumstances surrounding the timeliness of his request for review of that rejection. After a review of the circumstances and the additional information submitted by Mr. Little the Commission staff allowed him to take the Sewer Maintenance Worker examination on a provisional basis.

*Review of the appeal of C. Andre Carter regarding his failure of the Refuse Collection Vehicle Operator (Manual) examination – Appeal Number 05-CA-0011.*

The Commissioners approved the written recommendation submitted by the Civil Service commission staff to dismiss Mr. Carter's appeal without a hearing. Mr. Carter filed an appeal on May 26, 2005, on the basis that the time allotted for him to complete the performance portion of the Refuse Collection Vehicle Operator examination was reduced by 20 seconds due to errors on the part of test monitors.

The event in question, the fourth of six events, required candidates to drive through a simulated alley, make a hard left followed by a hard right turn in order to then drive through a simulated offset alley. Points were deducted for hitting barriers and having to back up to make additional attempts to successfully complete this event. Upon accumulating sixty points, applicants were deemed to have failed this portion of the test and were signaled to go to the next event. Mr. Carter struck the barriers and backed up several times, accumulated the maximum of sixty points which caused him to fail this portion of the test. Although he was signaled to go on to the next event, his inability to

negotiate event four is what caused his time to expire. There was no indication that the test monitors' action affected his performance on event four but even if his allegation was true and the ground monitor's inattention caused him to lose 20 seconds of his time, he could not have completed events 5 and 6 in 20 seconds.

Based upon the foregoing, Mr. Carter's appeal was dismissed without a hearing.

*Review of the appeal of Carl Smith regarding the rejection of his application for the Refuse Collection District Assistant Manager examination – Appeal Number 05-CA-0012.*

The Commissioners approved the written recommendation submitted by the Civil Service Commission staff to dismiss Mr. Smith's appeal without a hearing. Mr. Smith filed an appeal on May 26, 2005, relative to a previously held position which he contends provided supervisory experience and should have been credited to the minimum qualifications for the Refuse Collection District Assistant Manager examination. Mr. Smith described the position in question as "clerk/cashier" on his application and failed to mention it all on his initial Request for Review paperwork, therefore raising a question as to whether he actually performed supervisory duties in that position. Commission staff members cannot speculate whether or not the work experience meets the minimum qualification requirements of the classification being tested and must rely on the information provided by the candidate.

Based on the foregoing, the Commission decided to deny his appeal and dismiss it without a hearing.

*Review of the appeal of Kenneth Bramer regarding the denial of his 3<sup>d</sup> Step Grievance with the Columbus Public Schools – Appeal Number 05-BA-0009.*

The Commissioners reviewed the appeal Mr. Bramer filed on May 26, 2005, based upon his belief that the Columbus Public Schools filled a supervisory position with a temporary appointment which gave the person appointed an unfair advantage in the final selection process.

Ohio Revised Code Section 124.34(B) provides that the Civil Service Commission has jurisdiction to hear disciplinary appeals of classified non-teaching employees who are discharged, demoted or suspended for more than three days. Mr. Bramer's appeal related to issues surrounding the selection process for a position and there was no indication that any Civil Service Rules were violated.

The Commissioners, therefore, decided to dismiss Mr. Bramer's appeal without a hearing.

*Review of the appeal of Lloyd Graham regarding his resignation from the position of Student Safety Resource Coordinator with the Columbus Public Schools – Appeal Number 05-BA-0010*

The Commissioners reviewed the appeal Mr. Graham filed on April 29, 2005, relative to his termination from the position as a Student Safety Resource Coordinator for the Columbus Public Schools.

Ohio Revised Code Section 124.34(B) provides that the Civil Service Commission has jurisdiction to hear disciplinary appeals of classified non-teaching employees who are discharged, demoted or suspended for more than three days. The Commission received a copy of a hand printed resignation letter dated April 19, 2005, which appeared to bear Mr. Graham's signature. The Commission has no jurisdiction to hear Mr. Graham's appeal because it was based on his voluntary resignation rather than discipline imposed by the Columbus Public Schools.

Based upon the foregoing, the Commissioners dismissed Mr. Graham's appeal without a hearing.



Applicants Removed Post-Exam		
Name of Applicant	Position Applied For	BAR #
Jason M. Stevens	Firefighter	05-BR-057
Timothy P. O'Grady	Firefighter	05-BR-058
Paul T. Voz	Firefighter	05-BR-059
Nathan A. Bollman	Police Officer	05-BR-060
Lindsay N. Eckles	Police Officer	05-BR-061
Kevin A. Kirkpatrick	Police Officer	05-BR-062

After reviewing the files of Jason M. Stevens and Timothy P. O'Grady, the Commissioners decided their names would not be reinstated to the firefighter eligible list. The Commissioners decided to defer their decision on Paul T. Voz and requested additional information from Commission staff.

After reviewing the files of Nathan A. Bollman, Lindsay N. Eckles, and Kevin A. Kirkpatrick, the Commissioners decided their names would not be reinstated to the police officer eligible list.

\* \* \*

The Commissioners adjourned their regular meeting at 9:30 a.m.

\* \* \*

<hr/> Priscilla R. Tyson, Commission President	<hr/> July 25, 2005 Date
--	-----------------------------